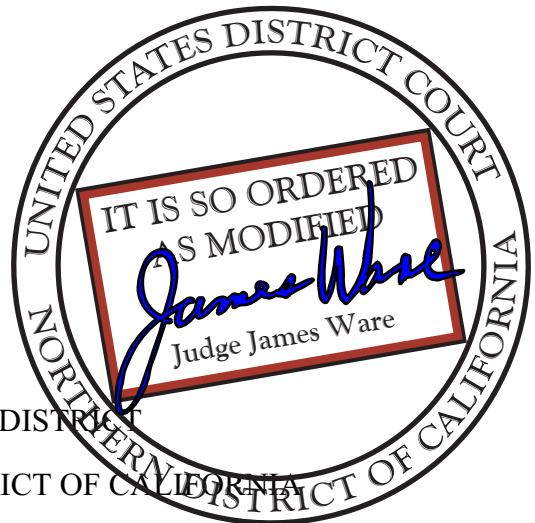


STEPHAN E. KYLE (SBN 158075)
 JENNIFER M. JOAQUIN (SBN 197109)
 KENNEY & MARKOWITZ L.L.P.
 255 California Street, Suite 1300
 San Francisco, CA 94111
 Telephone: (415) 397-3100
 Facsimile: (415) 397-3170

Attorneys for Defendant
 US AIRWAYS, INC.



UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION – ECF PROGRAM

JEANNE LOVELESS,
 Plaintiff,
 v.
 U.S. AIRWAYS, INC.,
 Defendants.

CASE NO. C-08-02444 JW

**STIPULATION AND [PROPOSED]
 ORDER FOR CONTINUANCE OF
 DATES IN 12/10/08 SCHEDULING
 ORDER**

It is hereby stipulated and agreed by and between all parties and their attorneys of record that the dates set forth in the Court's **December 10, 2008 Scheduling Order** be continued as follows:

	<u>Original Date</u>	<u>Proposed Date</u>
Preliminary Pre-Trial Conference Statements (Due 10 days before conference)	April 24, 2009	September 21, 2009
Preliminary Pre-Trial Conference (30 days before the Close of All Discovery)	May 4, 2009	August 31, 2009
L/D for Hearing Dispositive Motions (60 days before the Close of All Discovery)	August 3, 2009	July 31, 2009
Close of All Discovery	June 1, 2009	October 1, 2009

Kenney
 &
 Markowitz
 L.L.P.

There are very compelling reasons for the requested continuance:

1. Plaintiff did not provide US Airways with its full initial disclosures until March 13, 2009.
2. The parties are set to participate in Mediation with Court-Appointed mediator Jamie L. Dupree on **April 29, 2009**.
3. The parties are participating in the Mediation in good faith and are holding off on initiating formal discovery, including the noticing of plaintiff's deposition, until it is determined whether an early resolution of this matter is possible.
4. If an early resolution of this matter does not occur at the Mediation, the parties will need until October 1, 2009, to complete all discovery, as this case involves two incidents and two sets of US Airways flight crew located across the country, in addition to multiple health care providers. Further, this case will require significant expert discovery.

SO STIPULATED.

DATED: April 15, 2009

**LAW OFFICES OF DEMARTINI &
LODGE**

By: /s/ Aaron Lodge
AARON LODGE
Attorneys for Plaintiff
JEANNE LOVELESS

DATED: April 15, 2009

KENNEY & MARKOWITZ L.L.P

By: /s/ Jennifer M. Joaquin
STEPHAN E. KYLE
JENNIFER M. JOAQUIN
Attorneys for Defendant
US AIRWAYS, INC.

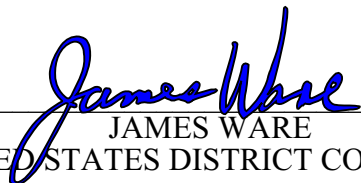
Kenney
&
Markowitz
L.L.P.

1 ***** ORDER *****

2 Based on the parties' representation, the Court finds good cause to modify the Court's
 3 December 10, 2008 Scheduling Order. However, the Court finds that the 120 day extension
 4 proposed by the parties excessive and thus modifies the schedule as follows:

	<u>Original Date</u>	<u>Modified Date</u>
5 Preliminary Pre-Trial Conference	April 24, 2009	June 26, 2009
6 Statements		
7 <i>(Due 10 days before conference)</i>		
8 Preliminary Pre-Trial Conference	May 4, 2009	July 6, 2009 at 11 a.m.
9 <i>(30 days before the Close of All Discovery)</i>		
10 L/D for Hearing Dispositive Motions	August 3, 2009	September 14, 2009 at 9 a.m.
11 <i>(60 days before the Close of All Discovery)</i>		
12 Close of All Discovery	June 1, 2009	August 7, 2009

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 15 Dated: April 28, 2009

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 17 JAMES WARE
 18 UNITED STATES DISTRICT COURT JUDGE
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27 Kenney
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 Markowitz
 L.L.P.